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# **NAVAL POSTGRADUATE SCHOOL**

**MONTEREY, CALIFORNIA**

## **THESIS**

### **MORTUS DISCRIMINATUS: PROCEDURES IN TARGETED KILLING**

by

Glenn Johnson

June 2007

Thesis Advisor:  
Second Reader:

David Tucker  
Pete Gustaitis

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**MORTUS DISCRIMINATUS: PROCEDURES IN TARGETED KILLING**

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Major, United States Army  
B.S., Weber State University, 1994

Submitted in partial fulfillment of the  
requirements for the degree of

**MASTER OF SCIENCE IN DEFENSE ANALYSIS**

from the

**NAVAL POSTGRADUATE SCHOOL  
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## **ABSTRACT**

Currently, no widely established standard or published set of guidelines and planning considerations exist for *operational* planners to conduct targeted killing operations. Due to the political complexity intertwined with targeted killing these types of operations rarely occur without repercussion. Operational planners need to understand that targeted killing operations cannot exist solely at the operational level because their consequences have strategic and political ramifications. By utilizing a case study analysis, this thesis will identify the operational planning considerations that need to be addressed to successfully conduct a targeted killing mission. This thesis will also outline any guidance the operational team should receive when tasked with a targeted killing mission. This will enable the operational unit to minimize any unintended consequences that result from targeted killing missions. Minimizing the unintended consequences will assist in removing the aura of illegitimacy surrounding targeted killing operations because transparency is provided on the procedures and planning considerations that are involved in the execution of these types of operations.



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## TABLE OF CONTENTS

<b>I.</b>	<b>INTRODUCTION.....</b>	<b>1</b>
<b>A.</b>	<b>SCOPE OF CONCERN .....</b>	<b>2</b>
<b>B.</b>	<b>THESIS ROADMAP .....</b>	<b>4</b>
<b>II.</b>	<b>ASSASSINATION POLICY .....</b>	<b>7</b>
<b>A.</b>	<b>BACKGROUND .....</b>	<b>7</b>
<b>B.</b>	<b>INTERNATIONAL LAW.....</b>	<b>7</b>
<b>C.</b>	<b>UNITED STATES LAWS, REGULATIONS, AND GOVERNANCE.....</b>	<b>9</b>
<b>D.</b>	<b>ATTEMPTS TO CHANGE .....</b>	<b>10</b>
1.	Terrorist Elimination Act of 2001 .....	11
2.	White House Joint Resolution of September 12, 2001.....	13
3.	Current Targeted Killing Authorizations.....	14
<b>III.</b>	<b>UNDERSTANDING TARGETED KILLING .....</b>	<b>15</b>
<b>A.</b>	<b>TARGETED KILLING VS. ASSASSINATION .....</b>	<b>15</b>
1.	Assassination .....	15
2.	Targeted Killing .....	16
<b>B.</b>	<b>CONSEQUENCES OF ACTION.....</b>	<b>17</b>
1.	Benefits of Targeted Killing .....	17
2.	Detriments of Targeted Killing.....	20
<b>IV.</b>	<b>CASE STUDIES.....</b>	<b>23</b>
<b>A.</b>	<b>AHMED JIBRIL .....</b>	<b>23</b>
<b>B.</b>	<b>PABLO ESCOBAR .....</b>	<b>25</b>
<b>C.</b>	<b>ISRAEL’S WRATH OF GOD.....</b>	<b>30</b>
<b>D.</b>	<b>OBERGRUPPENFÜHRER REINHARD HEYRICH .....</b>	<b>34</b>
<b>E.</b>	<b>HAMAS TERRORISTS.....</b>	<b>37</b>
<b>F.</b>	<b>ADMIRAL ISOROKU YAMAMOTO .....</b>	<b>39</b>
<b>V.</b>	<b>TARGETED KILLING IMPLEMENTATION GUIDELINES .....</b>	<b>43</b>
<b>A.</b>	<b>CAPTURE VERSUS KILL .....</b>	<b>43</b>
<b>B.</b>	<b>COLLATERAL DAMAGE .....</b>	<b>44</b>
<b>C.</b>	<b>MISSION APPROVAL .....</b>	<b>44</b>
<b>D.</b>	<b>MISSION TIMING.....</b>	<b>44</b>
<b>E.</b>	<b>AREA OF OPERATION .....</b>	<b>45</b>
<b>VI.</b>	<b>OPERATIONAL PLANNING CONSIDERATIONS .....</b>	<b>47</b>
<b>A.</b>	<b>INTELLIGENCE.....</b>	<b>47</b>
<b>B.</b>	<b>IMPORTANCE.....</b>	<b>48</b>
<b>C.</b>	<b>AVAILABILITY.....</b>	<b>49</b>
<b>D.</b>	<b>ACCESSIBILITY .....</b>	<b>49</b>
<b>E.</b>	<b>COVER FOR ACTION.....</b>	<b>50</b>
<b>F.</b>	<b>COLLATERAL DAMAGE .....</b>	<b>50</b>
<b>G.</b>	<b>SECURITY .....</b>	<b>51</b>
<b>H.</b>	<b>RESOURCES .....</b>	<b>51</b>

<b>VII. SUMMARY .....</b>	<b>53</b>
<b>WORKS CITED.....</b>	<b>55</b>
<b>INITIAL DISTRIBUTION LIST .....</b>	<b>59</b>

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## I. INTRODUCTION

Late in 2002, a group of Special Forces operators were conducting counterterrorist operations on the Horn of Africa in support of Operation Enduring Freedom and the United States Global War on Terrorism (GWOT). During these operations a warning order was delivered telling the operators to be prepared to kill or capture Qaed Salim Sinan al-Harethi, a top tier al Qaeda member. Al-Harethi acted as al Qaeda's chief operative in Yemen and was one of the terrorists suspected of planning the 2000 attack on the USS Cole while it was docked in the port of Aden. Al-Harethi was also suspected of having a role in the October 2002 bombing of a French oil tanker near the Yemen coast.<sup>1</sup>

The Special Forces operators began their mission planning and rehearsed their actions on the objective. The operation was planned as a target apprehension mission with the intent of capturing the al Qaeda operative. Contingency planning and rehearsals were conducted in case the target's capture was not feasible and the target had to be killed. The operators focused solely on the tactical level of the operation. Their planning considerations were concerned only with infiltration, actions on the objective, and exfiltration. At the time, the operators did not concern themselves with the strategic and political considerations that are involved with targeted killing operations.

Early in November 2002, with a loud and surprising explosion, al-Harithi and his al Qaeda companions lost their lives when a hellfire missile rammed into the vehicle they were traveling in. This targeted killing rid the world of an experienced and high level terrorist ensuring he would not be able to kill again.

Even though al-Harithi was successfully eliminated by a missile, the mission could have been executed by the Special Forces operators on the ground. If they had undertaken the mission, the Special Forces planners developing the operation would have needed to understand that in the conduct of targeted killing, more has to be taken into consideration than just infiltration, actions on the objective, and exfiltration. This is

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<sup>1</sup> Walter Pincus, "U.S. missiles kill al Qaeda suspects," *Washington Post*; 6 November 2002; available from <http://www.theage.com/au/articles/2002/11/05/1036308311314.html>; Internet; accessed 12 November 2006.

particularly important if the targeted killing mission is being conducted at the tactical or operational level, without higher headquarters direction. Currently, the President of the United States has pre-authorized the targeted killing of certain individuals. This means that when one of these individuals is identified he can be killed without seeking further approval. This creates the potential for actions (in this case targeted killing) to be planned and executed at the operational or lower level, leaving the potential that the strategic and political consequences that might result from the operation are unaccounted for. This thesis outlines planning considerations and guidelines that will help the operational planner identify and think through these unintended consequences.

#### **A. SCOPE OF CONCERN**

Military operational planners operate under three scenarios when it comes to targeted killing. The first scenario is enacted when the operational unit is directly tasked with conducting a specific targeted killing mission. If directly tasked by higher headquarters, operational level planners need to ensure they have received specific guidance that will help develop a framework for mission completion. The guidance should consider and address all the political, strategic, and operational issues that might result from a targeted killing operation.

The second scenario is when there is a pre-approved list of individuals that can be killed and operational units are authorized to carry out the targeted killing operation without further approval. The third scenario is when the operational unit, that has authority to initiate and conduct operations within its area of operation (AOR), identifies an individual enemy combatant whose death would aid in the successful outcome of their operational strategy. This operational unit can decide to implement a targeted killing mission at their level. In either scenario, before attempting a targeted killing mission at the operational level, planners need to understand that certain planning considerations should be undertaken to mitigate the potential political sensitivity, strategic fallout, and unintended consequences that are inherent with targeted killing operations. By considering the strategic and political realms that can be affected by their actions, operational planners can aid in minimizing any fallout or backlash that might result from

their actions. Thus, understanding of the larger picture will provide a better environment for the conduct of these types of operations and assist in the successful implementation of foreign policy.

Currently, there is no widely established standard or published set of guidelines and planning considerations to direct operational planners in the conduct of targeted killing operations.

History and past experiences can suggest planning considerations that should be contemplated when targeted killing operations are being conducted. By utilizing a case study analysis, this thesis will identify operational planning considerations that need to be addressed to successfully conduct a targeted killing mission. This thesis will also outline any guidance the operational team should receive when tasked with a targeted killing mission.

This thesis focuses on the military and its conduct of targeted killing operations. It will not argue if targeted killing is legal or illegal, ethical or unethical, effective or ineffective. The basis for this thesis is an understanding that the United States conducts, and will continue to conduct, targeted killing operations. As such, this thesis will provide an understanding of the current authority being used that allows the conduct of targeted killing. This thesis will then focus on giving the military operational planner assistance in developing a targeted killing strategy. In conducting targeted killing operations, operational planners need requisite planning factors that will aid in determining whether to conduct a targeted killing mission, attempt a capture, or postpone/abort the operation. If a targeted killing mission is decided on, operational planners also require planning considerations that will assist in the conduct of their mission.

The findings of this thesis will provide military operational planners the guidelines, planning considerations and procedures that will enable these decision-makers to prosecute a targeted killing operation. It will provide a framework to “teach leaders how to make the best decision...[by bestowing] a systemic approach to developing the best course of action.”<sup>2</sup>

---

<sup>2</sup> Andy Hernandez, Speech at Naval Postgraduate School Graduation Ceremony, 23 March 2007.



This thesis has another goal besides aiding the operational planner in developing a targeted killing mission. The author would also like to make targeted killing operations more acceptable to the public by educating them on the process used in planning these missions. The aura of illegitimacy surrounding targeted killing operations can be removed if transparency is provided to the procedures and planning considerations that are involved in the execution of these types of operations.

## **B. THESIS ROADMAP**

This thesis will first provide an explanation of the policies currently governing assassination and targeted killings. This will be accomplished by describing the international laws that are concerned with assassination. Then an explanation and clarification of the United States laws, regulations, and governance will be provided. Also, an overview of current attempts at changing these laws will be presented.

Definitions for targeted killing and assassination will be presented along with an understanding that distinguishes the two. A summary of the possible benefits and consequences of targeted killing will be presented.

Several targeted killing case studies will be investigated to determine the reason the operation was conducted, identify any implementation guidelines given to the operational unit conducting the mission, and distinguish planning considerations used by the operational unit. Some of the case studies that were chosen have limited research sources which narrowed the analysis to a single, or small sample set, of data. However, pertinent and constructive information was still drawn from these sources.

After the case studies are presented, a list of targeted killing implementation guidelines are presented that were developed through analysis of the case studies. This chapter outlines the implementation guidelines that operational planners should receive when directly tasked with a targeted killing mission (scenario one from Chapter I.A). These implementation guidelines will help operational planners develop a framework for a successful targeted killing mission and address the political, strategic, and operational issues that develop.

The next chapter addresses planning considerations that operational planners should take into account when conducting a pre-approved or unilateral targeted killing mission (scenarios two and three from Chapter I.A). These considerations are based on lessons learned from the case study analysis, the author's personal military experience, and interviews of soldiers who were members of units that conducted targeted killing missions. These planning considerations will aid the planner in developing a strategic and political awareness that will aid in mitigating the potential political damage, strategic fallout, and unintended consequences that are inherent with targeted killing operations.

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## **II. ASSASSINATION POLICY**

### **A. BACKGROUND**

Throughout its recent history, from World War II to Operation Iraqi Freedom, the United States has targeted specific individuals for the purpose of killing them. This targeting usually occurred during the conduct of hostilities between the U.S. government and its foe. Some examples include Japanese Admiral Yamamoto during World War II, Haiti's Francois Duvalier in 1961, the Phoenix Program during the Vietnam War, Mullah Mohammed Omar in Afghanistan during Operation Enduring Freedom, and Abu Musab al-Zarqawi during Operation Iraqi Freedom in 2006. It was not until recently that the United States had to delineate between killing a specific individual during times of direct conflict and assassination operations. This delineation was a result of fallout in the 1970's from suspected assassination attempts being conducted by a U.S. intelligence agency against individuals who were not enemy combatants.

### **B. INTERNATIONAL LAW**

Laws regulating international conflict are derived from conventions, treaties, and customs. These international laws, including The Hague Convention, Geneva Convention, and the Laws of War, distinguish between lawful combatants, noncombatants, and unlawful combatants. These distinctions are usually made with respect to prisoner-of-war status but also address the lawful killing of individuals. A lawful combatant must fit all of the following criteria: any person who is commanded by a person responsible for his subordinates; has a fixed and distinctive emblem recognizable from a distance; carries arms openly; conducts operations in accordance with the laws and customs of war<sup>3</sup> (meaning the formal and informal customary guidelines that dictate how a war can be fought as laid out in agreements and treaties like the Geneva Convention, Hague Conventions, and individual country laws of war). Noncombatants are individuals "taking no active part in hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by

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<sup>3</sup> "Annex to the Convention: Regulations Respecting the Laws and Customs of War on Land," *Hague Convention IV (18 October 1907) Convention Respecting the Laws and Customs of War on Land*, Section 1, Chapter 1, Article 1.

sickness, wounds, detention...” and are not included in the lawful combatant definition.<sup>4</sup> Unlawful combatants are individuals who take part in hostilities but do not adhere to the stipulations defining combatants and noncombatants. Unlawful combatants include “persons who are not members of the armed forces, as defined in “Article 4” of the *Geneva Convention Relative to the Treatment of Prisoners of War, 12 August 1949*, who bear arms or engage in other conduct hostile to the enemy thereby depriving themselves of many of the privileges attaching to the members of the civilian population.”<sup>5</sup> Under international law, lawful combatants and unlawful combatants may legally be attacked, but it is illegal to attack noncombatants.

These laws do not specifically define assassination or targeted killing but do suggest that during times of conflict or war, enemy combatants may be engaged at any time or place regardless of their activities at the time of the attack.<sup>6</sup> Article 51 of the United Nations Charter provides for the inherent right of individual or collective self-defense.<sup>7</sup> The only prohibition on killing enemy combatants is that “it is especially forbidden:

- a) To employ poison or poisoned weapons;
- b) *To kill or wound treacherously* individuals belonging to the hostile nation or army;
- c) To kill or wound an enemy who, having laid down his arms, or having no longer means of defense, has surrendered at discretion...”<sup>8</sup>

Expanding this logic, under international law and during times of conflict or war, there is no prohibition on assassination or targeted killing of enemy combatants as long as

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<sup>4</sup> *Geneva Convention Relative to the Treatment of Prisoners of War, 12 August 1949*, Article 3.

<sup>5</sup> *Army Field Manual 27-10 Laws of War*, (Washington, D.C.: Department of the Army, 1997), Chapter 3, Section 1(60b).

<sup>6</sup> W. Hays Parks, “Memorandum of Law: Executive Order 12333 and Assassination,” *Army Lawyer*, December 1989: available from *LexisNexis Academic* database, Web database, February 2007.

<sup>7</sup> *Charter of the United Nations*, 16 June 1945, Chapter VII, Article 51.

<sup>8</sup> Emphasis added by this author. *Hague Convention IV*, Section 1, Chapter 2, Article 23b.

it is done without treachery. Killing treacherously is using methods otherwise prohibited by international or national law in the conduct of war (see Chapter III Section A for a better understanding).

### **C. UNITED STATES LAWS, REGULATIONS, AND GOVERNANCE**

There is no mention of assassination or targeted killing in the United States Constitution and there are no current U.S. laws that define assassination or targeted killing. Most regulations and governance derived from United States law are related to intelligence activities, Presidential Executive Orders, and international legal conventions (as outlined in the previous section). The only domestic laws that are prosecutable are the

provision[s] in 18 U.S.C. § 1116 which provides criminal penalties for murder, manslaughter, or attempted murder or manslaughter of foreign officials, official guests, or internationally protected persons. This section applies to murder, manslaughter, or attempted murder or manslaughter committed within the United States. In addition, the U.S. may exercise jurisdiction over such acts committed against internationally protected persons outside the United States if (1) the victim is a representative, officer, employee, or agent of the United States, (2) an offender is a national of the United States, or (3) an offender is afterwards found in the United States.<sup>9</sup>

However, these laws are invalid when the two parties involved in a killing are participating in armed conflict authorized by the President of the United States or the United States Congress.

In February 1976, President Gerald Ford published *Executive Order 11905: United States Foreign Intelligence Activities*. In this executive order, President Ford prohibited United States Government employees from engaging in, or conspiring in, political assassination.<sup>10</sup> This prohibition was published to keep America's intelligence activities in check after recent suspected and failed assassination attempts during times of

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<sup>9</sup> Elizabeth Bazan, "Assassination Ban and E.O. 12333: A Brief Summary," *CRS Report 21037*; January 4, 2002.

<sup>10</sup> *President Gerald R. Ford's Executive Order 11905: United States Foreign Intelligence Activities*, Section 5(g), 18 February 1976 [Executive Order online]; available from <http://www.ford.utexas.edu/library/speeches/760110e.htm#SEC.%205.>; Internet; accessed 20 February 2007.

peace. President Jimmy Carter restated this prohibition in his *Executive Order 12036: United States Foreign Intelligence Activities* published on January 24, 1978.<sup>11</sup> In December 1981, this prohibition was carried forward by President Ronald Reagan when he reiterated the ban in his *Executive Order 12333: United States Intelligence Activities*. However, in this executive order, President Reagan expanded the prohibition to include persons employed by or acting on behalf of the United States Government.<sup>12</sup> Executive Order 12333 also prohibited indirect participation in assassination: “no agency of the Intelligence Community shall participate in or request any person to undertake activities forbidden by this order.”<sup>13</sup> Both of these orders effectively ban the United States from carrying out or supporting assassination.

During times of war and conflict, the United States abides by the Laws of War. This means that it can target enemy combatants and support systems as long as it is not done treacherously (as explained in the previous section). During times of conflict the United States Congress passes laws like *Public Law 107-40* in 2001 entitled “Authorization for Use of Military Force” giving the President special authorities. Under this law, the President of the United States is authorized “to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001.”<sup>14</sup> These laws do not allow for assassination but do create a state of armed conflict in which the United States can target and kill enemy combatants.

#### **D. ATTEMPTS TO CHANGE**

After recent terrorist attacks within the United States, including the World Trade Tower attack in 1993 and later with the September 11, 2001 terrorist attacks on the World Trade Towers and the Pentagon, there have been multiple attempts made in Congress to

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<sup>11</sup> *Executive Order 12036: United States Intelligence Activities*, Section 2-305, 24 January 1978 [Executive Order online]; available from <http://www.fas.org/irp/offdocs/eo/eo-12036.htm>; Internet; accessed 20 February 2007.

<sup>12</sup> *Executive Order 12333: United States Intelligence Activities*, Part 2.11, 4 December 1981 [Executive Order online]; available from <http://www.archives.gov/federal-register/codification/executive-order/12333.html#2.11>; Internet; accessed 20 February 2007.

<sup>13</sup> *Ibid.*, Part 2.12.

<sup>14</sup> “Authorization for Use of Military Force,” *Public Law 107-40, 107<sup>th</sup> Congress*, September 18, 2001.

change or alter the restrictions placed on assassination. This is primarily due to the continued misunderstanding Congress and the public has toward assassination and targeted killing (this is addressed in Chapter III). This is demonstrated in a New York times article that stated, “Mr. Bush has not waived the executive order banning assassinations...the presidential authority to kill terrorists defines operatives of Al Qaeda as enemy combatants and thus legitimate targets for lethal force...[however] some national security lawyers said the practice of drawing up lists of people who are subject to lethal force might blur the lines drawn by [the] government’s ban on assassination.”<sup>15</sup>

The goals of these attempts at change have been to ensure there is no restriction or limitation placed on the ability of the United States to protect itself, to ensure every method is available in Americas defense, and remove any legal grey areas (or confusion with assassination) that might develop when the United States conducts targeted killing missions. If assassination were made legal then the difference between targeted killing and assassination would not matter and no legal issue would arise when a news report stated an enemy had been killed by way of targeted killing or assassination.

### **1. Terrorist Elimination Act of 2001**

The first prominent bill that attempted to change the assassination ban was introduced in the House of Representatives on January 3, 2001 titled “Terrorist Elimination Act of 2001.” This bill stated that Congress finds that:

(1) past Presidents have issued Executive orders which severely limit the use of the military when dealing with potential threats against the United States of America;

(2) these executive orders limit the swift, sure, and precise action needed by the United States to protect our national security;

(3) present strategy allows the military forces to bomb large targets hoping to eliminate a terrorist leader, but prevents our country from designing a limited action which would specifically accomplish that purpose;

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<sup>15</sup> James Risen and David Johnston, “Bush Has Widened Authority of C.I.A. to Kill Terrorists,” *New York Times*, December 12, 2002.



(4) on several occasions the military has been ordered to use a military strike hoping, in most cases unsuccessfully, to remove a terrorist leader who has committed crimes against the United States;

(5) as the threat from terrorism grows, America must continue to investigate effective ways to combat the menace posed by those who would murder American citizens simply to make a political point; and

(6) actions by the United States Government to remove such persons is a remedy which should be used sparingly and considered only after all other reasonable options have failed or are not available; however, this is an option our country must maintain for cases in which international threats cannot be eliminated by other means.<sup>16</sup>

This bill proposed to revoke assassination provisions established in Section 5(g) of *Executive Order 11905*; Section 2-305 of *Executive Order 12036*; Section 2.11 of *Executive Order 12333* (these Executive Orders are explained in Chapter II Section C of this thesis).

This bill has instigated logical, yet polarized, responses. The first response is that the bill is not needed. The argument is that these “actions would essentially be meaningless because the restrictions on the CIA [are] merely a bureaucratic gesture and has no impact on the way it operates, and killing is allowed in a war scenario regardless of the assassination ban.”<sup>17</sup> The argument continues by noting that “part of the problem is a semantic one, if we are at war we don’t have to think about assassination, and if we are not at war, assassination is not the right tool either.”<sup>18</sup>

The second response pertains to the idea that the bans on assassination could be hampering (politically if not operationally) the government’s actions in conducting counterterrorism throughout the world. It argues that if these provisions are not changed, grey areas, ambiguity, and debate will continue to exist that could hamper U.S. actions in

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<sup>16</sup> “Terrorist Elimination Act of 2001,” *H.R. 19—107<sup>th</sup> Congress* (2001).

<sup>17</sup> Tabassum Zakaria, “Changing U.S. Assassination Policy Called Useless,” *Reuters*, September 18, 2001 [article online]; available from <http://fas.org/sgp/news/2001/09/re091801.html>; Internet; accessed 6 March 2007.

<sup>18</sup> *Ibid.*

the future. It is not an issue of legality of killing in the conduct of war; it is concerned with actions not being taken or considered because of the potential for criticism owing to the fact that the public does not understand the difference between assassination and targeted killing during war.

This bill is still being considered in the legislative process, meaning the debate over the bill continues today.

## **2. White House Joint Resolution of September 12, 2001**

The day after the terrorist attacks on September 11, 2001, the White House presented the House and the Senate a draft Joint resolution that would have

Authorized the President (1) to take military action against those involved in some notable way with the September 11 attacks on the U.S., but it also would have granted him (2) statutory authority to deter and pre-empt any future acts of terrorism or aggression against the United States. This language would have seemingly authorized the President, without durational limitation, and at his sole discretion, to take military action against any nation, terrorist group or individuals in the world without having to seek further authority from Congress.<sup>19</sup>

This, in large part, was an attempt to make it acceptable to change the legal understanding of war from one of fighting only nations to one that included fighting individuals and organizations. To this point Congress had only “permitted action against unnamed nations in specific regions of the world, or against named individual nations, but never against organizations or persons.”<sup>20</sup> This resolution also contained language that would allow the President “to deter or pre-empt any future act of terrorism or aggression against the United States.”<sup>21</sup>

Congress rejected the White House version of the proposed resolution because it did not limit who the President could take action against. A revised resolution was enacted (becoming *S.J. Res. 23* and *H.J. Res. 64* “Authorization for Use of Military Force”) by Congress that “limited the scope of the President’s authorization to use U.S.

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<sup>19</sup> Richard Grimmett, “Authorization For Use of Military Force in Response to the 9/11 Attacks (P.L. 107-40): Legislative History,” CRS Report 22357; January 4, 2006, 2.

<sup>20</sup> *Ibid.*, 4.

<sup>21</sup> *Ibid.*, 6.

military force through P.L. 107-40 for military actions against *only those international terrorists and other parties directly involved in aiding or materially supporting the September 11, 2001 attacks on the United States.*”<sup>22</sup>

This is the authority that is currently being used to prosecute the Global War on Terrorism and, thereby, conduct targeted killings to this end. However,

if the assassination ban were to be interpreted to cover U.S responses to terrorist attacks on U.S. soil, the breadth of the authority provided by these joint resolutions might be viewed as sufficient, insofar as U.S. responses to the events of September 11, 2001 are concerned, to encompass actions that might otherwise be prohibited under the assassination ban.<sup>23</sup>

### **3. Current Targeted Killing Authorizations**

Shortly after the 9/11 terrorist attack, the Bush administration identified terrorist leaders who were connected with the attack and developed a list authorizing the ones that could be killed.<sup>24</sup> This presidential finding provided legal authority to “hunt down and kill the terrorists without seeking further approval each time the agency [was] about to stage an operation.”<sup>25</sup> The presidential finding was not limited to those initially specified on the list. Intelligence and counterterrorism agencies could add names and the “president [was] not legally required to approve each name added to the list”<sup>26</sup> nor was the agency conducting the operation “required to obtain presidential approval for specific attacks.”<sup>27</sup> This presidential finding provided (and still provides) great leeway in the conduct of targeted killing operations and delegated the authority for the conduct of these missions to much lower level leaders.

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<sup>22</sup> Grimmett, 3. Emphasis added by this author.

<sup>23</sup> Bazan, 6.

<sup>24</sup> Risen.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

### **III. UNDERSTANDING TARGETED KILLING**

#### **A. TARGETED KILLING VS. ASSASSINATION**

Debate over the Executive Orders banning assassination continuously arises during times the United States is engaged in conflict. This debate principally develops because the executive orders are directed at the intelligence community and the term “assassination” is not defined within them. This results in a requirement to differentiate between assassination in times of peace, which is unlawful, and the targeting of individuals in times of conflict, which is lawful. This requirement has led to the use of the phrase “targeted killing” to refer to the lawful targeting of individuals.

##### **1. Assassination**

Assassination is defined as the killing of a private individual or public figure for political purposes, during times of peace, and is usually conducted as a covert activity.<sup>28</sup> Assassination is murder because the laws currently prohibit this type of killing (see Chapter II for specific laws). In the characterization of assassination, a “[victim is] not necessarily limited to persons of public office or prominence. The murder of a private citizen, if carried out for political purposes, may constitute an act of assassination...Assassination is unlawful killing, and would be prohibited by international law even if there were no [United States] executive orders proscribing it.”<sup>29</sup>

Assassination does not include directed killing of enemy combatants. Military actions that include “the clandestine, low visibility or overt use of military force against legitimate targets in time of war, or against similar targets in time of peace where such individuals or groups pose an immediate threat to United States citizens or the national security of the United States, as determined by competent authority, does not constitute assassination or conspiracy to engage in assassination, and would not be prohibited by the prosecution in Executive Order 12333 or by international law.”<sup>30</sup> Actions targeting individuals taken under these circumstances are hereafter termed targeted killing.

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<sup>28</sup> Parks.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

## 2. Targeted Killing

Targeted killing is defined as the lawful killing of specific individuals or groups that are engaged in hostilities or armed conflict with the United States. Targeted killing

when applied to wartime military activities against enemy combatants or military objectives does not preclude acts of violence involving the element of surprise. Combatants are liable to attack at any time or place, regardless of their activity when attacked...An individual combatant's vulnerability to lawful targeting (as opposed to assassination) is not dependant upon his or her military duties, or proximity to combat as such. Nor does the prohibition on assassination limit means that otherwise would be lawful; no distinction is made between an attack accomplished by aircraft, missile, naval gunfire, artillery, mortar, infantry assault, ambush, land mine or boobytrap, a single shot by a sniper, a commando attack, or other, similar means.<sup>31</sup>

These actions fall under targeted killing because “they [are] military operations and [are] not carried out under false pretenses, [thus] the ban against assassination [does] not apply.”<sup>32</sup> As explained previously in *Chapter II: Assassination Policy* “enemy combatants are legitimate targets at all times, regardless of their duties or activities at the time of their attack.”<sup>33</sup> If enemy combatants are attacked under the guidelines stated above, then “such attacks do not constitute assassination unless carried out in a treacherous manner”<sup>34</sup> and represent lawful targeted killing (see Chapter II Section B for definition of treacherous).

An example of assassination is the shooting of the political activist and public icon Martin Luther King, Jr. on April 4, 1968. An example of targeted killing is the intentional attack and killing of Japanese Admiral Isoroku Yamamoto, Commander in Chief of the Japanese Combined Fleet, by Army Air Corps pilots during World War II (discussed in greater detail in the case study chapter of this paper).

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<sup>31</sup> Parks.

<sup>32</sup> Steven David, “Israel’s Policy of Targeted Killing,” *Ethics & International Affairs* 17, 1 (2003)” 113.

<sup>33</sup> Parks.

<sup>34</sup> Ibid.

## **B. CONSEQUENCES OF ACTION**

Why conduct targeted killing? Avi Dichter, the former head of the Israeli Shin Bet, stated, “It’s not an eye for an eye, it’s having him for lunch before he has you for dinner.”<sup>35</sup> Another prominent belief is that “the reason targeted killing is considered is because it is perceived as a shortcut to the eventual destruction of a group.”<sup>36</sup> These sound like reasonable arguments but targeted killing operations are never that simple and clear cut. Due to the political complexity intertwined with targeted killing, these types of operations rarely occur without repercussion. Operational planners need to understand that targeted killing operations cannot exist solely at the operational level because their consequences have demonstrable strategic and political ramifications. As such, an understanding of the benefits and detriments of targeted killing operations will assist the operational planner to execute his mission more deftly.

This section does not aspire to sway the reader to believe that one argument (benefit versus consequence of targeted killing) has more significance or to provide an exhaustive list of benefits and consequences. The purpose is to make the reader aware that there is potentially a benefit *and* consequence to these operations. This understanding will aid the planner in conducting his own cost benefit analysis and facilitate determining when or how a targeted killing mission should be undertaken.

### **1. Benefits of Targeted Killing**

Conducting targeted killing operations can produce many beneficial outcomes. Targeted killing can disrupt current or planned enemy operations. One way to accomplish this is by killing the enemy leader, thus decapitating the enemy force. This technique works best when facing a centralized organization where decisions are made at the higher echelons and the targeted killing is conducted at that level. “Common belief is that if a leader is critical to the development of a group of radicals, by killing the leadership it may be a shortcut to destroying an entire group before they can socialize

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<sup>35</sup> Laura Blumenfeld, “In Israel, a Divisive Struggle Over Targeted Killing,” *Washington Post*, August 27, 2006 [newspaper online]; available from [http://www.washingtonpost.com/wp-dyn/content/article/2006/08/26/AR2006082600917\\_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2006/08/26/AR2006082600917_pf.html); Internet; accessed 12 November 2006.

<sup>36</sup> Anonymous, Author’s Interview of members of a Special Mission Unit that conducts targeted killing operations, 24 March 2007.

their movement.”<sup>37</sup> This benefit was demonstrated when Fathi Shikaki, the Palestinian Islamic Jihad leader, was killed in 1995 and his organizations effectiveness was greatly reduced because no capable leader replaced him.<sup>38</sup> When facing a decentralized organization where there is not a hierarchy to target, this technique is less effective.

Targeted killing operations also disrupt the enemy by decreasing his pool of skilled labor, experts, and charismatic leaders. “The more key a central figure is, someone like a nuclear scientist, who by killing denies the use of his skills to a radical group”<sup>39</sup> the more efficacious targeted killing will be. This can create ineffectiveness within the organization and lengthen the time for the organization to recruit, train, and conduct further harmful actions. Further disruption occurs because the enemy can become preoccupied with his own survival. This limits his movements and ability to communicate, creates stress, and draws resources away from the offensive, moving the enemy to act defensively. This was displayed with Israelis targeted killing campaign against Hamas during the second intifada. When the targeted killing campaign was initiated, along with other counterterrorism measures, the lethality rate of Hamas steadily declined from 5.4 deaths per attack in 2002, to .98 in 2003, to .33 in 2004, and .11 in 2005.<sup>40</sup>

Targeted killing permanently prevents further action from being taken by an individual. If the target is detained there is a possibility he can still provide support to the enemy cause by continuing to spread ideology, gain recruits, or even have input into operations. If he is arrested, a detainee might eventually be released allowing him to return to operational status. However, by killing the target any ability for him to do any of these actions is removed.

Targeted killing can provide for a smaller probability of collateral damage than other military actions. Instead of employing a missile barrage or ground campaign,

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<sup>37</sup> Anonymous, Author’s Interview of members of a Special Mission Unit that conducts targeted killing operations, 24 March 2007.

<sup>38</sup> David, 116.

<sup>39</sup> Anonymous.

<sup>40</sup> Daniel Byman, “Do Targeted Killings Work?,” *Foreign Affairs* Volume 85, Issue 2 (March/April 2006).[Magazine online]; available from <http://www.foreignaffairs.org/20060301faessay85208/daniel-byman/do-targeted-killings-work.html>; Internet; accessed 12 November 2006.

targeting an individual with precision weapons decreases the chance of unintended casualties because it is focused on killing the individual in as precise a method as possible.

Targeted killing provides an offensive capability vice relying on the defense and waiting for the enemy to initiate action. This allows for the elimination of a threat before it can act against you. This can be particularly valuable when fighting terrorists. Targeted killing also satisfies the public's demand for a response to an event. By the government effectively responding to an incident, the population increases its faith in the government's ability to take action and protect the population.

Targeted killing can also act as a deterrent towards other individuals who might take up armed conflict against the United States or think about moving into a leadership position. By killing specific individuals, a message of "this could happen to you" is sent to others that might think about replacing the target. This deterrent was demonstrated when Israel killed Yassin, the leader of Hamas in 2004. Yassin was immediately replaced by Rantisi, who was promptly killed by the Israelis. Hamas then selected a new leader, refused to name him publicly, and then asked for a period of calm because the losses among its senior cadre were making things very difficult.<sup>41</sup>

At the tactical and operational level, targeted killing missions are one way of giving operators a common goal to work towards. To successfully conduct a targeted killing, operators must concentrate all their efforts towards an exclusive target. As these operators work towards this goal, more intelligence is gained on the enemy. Targeted killing missions force a focus on a specific individual and "as you focus on a target, you learn more about the target and his organization that you did not know previously."<sup>42</sup> This focus will provide information that will improve your ability to affect the target and his organization.

There are many benefits to be gained from targeted killing operations. These benefits range from tactical to strategic gains. However, there can also be consequences that come with targeted killings.

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<sup>41</sup> Byman,

<sup>42</sup> Anonymous.



## 2. Detriments of Targeted Killing

Targeted killing operations can create intended and unintended detrimental consequences. Targeted killing can infuse the enemy with resolve and rally them towards action. Killing an individual can also transform him into a martyr. This transformation can make an individual more influential in death than in life by ensuring his ideology is codified or expanding his organization by using his death as a recruitment tool. In their highly mathematical and modeling heavy article “What Happened to Suicide Bombings in Israel? Insights from a Terror Stock Model” Edward Kaplan, Alex Mintz, and Shaul Samban show that targeted killing can actually increase recruiting for terrorist organization.<sup>43</sup> The authors studied suicide bombings against Israel and compared them with Israel's targeted killing campaign in 2001, 2002, and 2003. Their “Terror Stock Model” showed that “there [was] an 1.8% ( $\pm 0.4\%$ ) reduction in the expected suicide bombing attack rate...However, the estimated dependence of recruiting on hits is strong: each hit increases the terror stock by an estimated 7.6 ( $\pm 3.3$ ) recruits.”<sup>44</sup> Their model also showed that timing of recruitment mattered, “1 recruit every 2 days in the constant model versus 7.6 recruits following each targeted hit...the analysis thus far has established a strong, positive statistical association between targeted hits and suicide bombing attempts via terror stock recruitment.”<sup>45</sup>

Due to the lack of understanding of the difference between targeted killing and assassination, targeted killing operations can be misconstrued as assassination. This misunderstanding can diminish the status of the United States as an upholder of the rule of law.<sup>46</sup> This can politically isolate the United States and interfere in the country's ability to engage in conflict and diplomacy. This interference can create political backlash that can affect future operations by making planners more cautious and apprehensive to act. This was shown with the Central Intelligence Agency's (CIA) aid to the Mujahideen in Afghanistan in the early 1980's. While the CIA was supplying arms and equipment, the Pakistani Inter-Service Intelligence Directorate (ISI) was providing

<sup>43</sup> Edward Kaplan and Alex Mintz and Shaul Mishal Claudio Smaban, “What Happened to Suicide Bombings in Israel? Insights from a Terror Stock Model,” *Studies in Conflict & Terrorism*, 28, 2005.

<sup>44</sup> Ibid., 230.

<sup>45</sup> Ibid., 231.

<sup>46</sup> Byman. .

tactical training. This training included helping the Mujahideen identify and specifically target Soviet officers. The CIA went to great lengths not to become involved in this targeting, to the point of not providing sniper sights and other equipment. “Agency lawyers...were adamant about not becoming involved in anything remotely resembling assassination...[and were] careful never to associate the Agency with such activities – that would [have been] a political time bomb.”<sup>47</sup> In this case the confusion between assassination, targeted killing, and even standard tactical engagement hampered the CIA’s ability to support an element actively engaging the Soviet Union during the Cold War.

Targeted killing operations can interfere with other elements of national power being employed against an enemy; especially if these operations are not coordinated. An example is a targeted killing operation disrupting, undermining, or negating diplomatic alternatives that another governmental organization is trying to employ.

Targeted killing can create retaliation operations against our leaders and public figures that otherwise would not have been undertaken. This can antagonize both sides of a conflict to act more aggressively. Support for this view comes from the case of the Iraqi Intelligence Service’s assassination attempt of Former President George H.W. Bush in April 1993 after Operation Desert Storm.

If an understanding of the enemy’s hierarchal organization and line of succession can not be gained, the removal of one individual can create an opening for a more dangerous individual. “If you do not know who is next in line to take up the fight you may be replacing one evil with another one who is more evil.”<sup>48</sup>

Targeted killing operations can divert resources from other operations where they might be needed. This is particularly true with intelligence assets because prosecuting a targeted killing mission requires extensive intelligence on the target. “It is always a balance of resources, if we consume all of our military resources to locate and target an

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<sup>47</sup> George Crile, *Charlie Wilson’s War* (New York: Atlantic Monthly Press, 2003), 350.

<sup>48</sup> Anonymous.

individual, what other uses could those resources have been applied to and could they have done more good than just chasing down and killing one person?”<sup>49</sup>

These detriments, along with the untold number of unknown unintended consequences that might occur, must be considered before conducting targeted killing operations. The gain from the operation must outweigh the cost to make a targeted killing beneficial.

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<sup>49</sup> Anonymous.

## IV. CASE STUDIES

In this chapter, several targeted killing case studies will be investigated. For each case study, a brief reason for the targeted killing will be given, implementation guidelines will be identified (if any were specified), and planning considerations will be summarized.

### A. AHMED JIBRIL

Ahmed Jibril was the Commander of the Popular Front for the Liberation of Palestine – General Command (PFLP-GC). The PFLP-GC was a hardline Palestinian terrorist group that splintered from the Popular Front for the Liberation of Palestine (PFLP) because they perceived the PFLP as too accommodating towards Israel and not active enough in Israel’s destruction. PFLP-GC argued that “fighting, not politics, [was] the key to reversing the establishment of Israel on Arab land”.<sup>50</sup> Jibril was considered the “world’s first technoterrorist”<sup>51</sup> because he used barometers in his bombs to blow up airplanes when they reached a specific altitude. Jibril was also one of the first terrorists to employ unwitting female mules to place these bombs on airplanes. Terrorist databases like *MIPT Terrorism Knowledge Base*<sup>52</sup>, credit Jibril, and the PFLP-GC, with backing or planning the bombings of Pan Am 103 and Swiss Air 330. Throughout the 1980’s Jibril masterminded numerous attacks inside Israeli territory—including one in which the terrorists infiltrated using hang gliders. These attacks included raids on Israeli military compounds and neighborhoods. Jibril also attacked schools and school buses, and is credited with launching the “first-ever Palestinian suicide operation.”<sup>53</sup> In addition, he conducted a letter bomb campaign throughout Israel. Jibril’s most notorious act was kidnapping three Israeli soldiers in Lebanon and forcing the Israeli government to release 1,150 terrorists being held in its prisons (the largest coerced prisoner terrorist release to

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<sup>50</sup> Martin Asser, “Ahmed Jirbril and the PFLP-GC,” *BBC News*, May 20, 2002 [article online]; available from [http://news.bbc.co.uk/2/hi/middle\\_east/1998598.stm](http://news.bbc.co.uk/2/hi/middle_east/1998598.stm); Internet; accessed 19 April 2007.

<sup>51</sup> Samuel Katz, *Israel Versus Jibril* (New York: Paragon House, 1993), 23.

<sup>52</sup> *MIPT Terrorism Knowledge Base* [database online]; available from <http://www.tkb.org/Incident.jsp?incID=5728>; Internet; accessed 16 April 2007.

<sup>53</sup> Asser.

that date). These terrorists were exchanged for the return of the kidnapped Israeli soldiers. This was a very tumultuous event within Israel and “perhaps no single action ever taken by the Israeli government has sparked such emotion and public anger.”<sup>54</sup> After this event Jibril “crossed the invisible line from menace to national nemesis”<sup>55</sup> and was placed on Israel’s targeted killing list.

Israel conducted multiple targeted killing missions against Jibril. Though these missions were ultimately unsuccessful (Ahmed Jibril is still alive today), useful planning considerations can be obtained from their efforts. These planning considerations include accurate intelligence, accessibility, and cover for operations.

The number one consideration was accurate information on the target’s (Jibril) whereabouts. To gather this intelligence, Israel employed its conventional state assets that included: the state intelligence agency, elite reconnaissance forces, and local guerilla forces surrounding Jibril. The Israeli government also made use of unconventional assets like criminals, profiteers, drug dealers, prostitutes, and pimps.<sup>56</sup> When Israel employed ground forces, they routinely took ground video of the attack location, interviewed captured terrorists about the location, and maintained constant surveillance on the objective.

Jibril knew he was a hunted man and incorporated anti-targeting measures into his everyday life. He limited his travel to a few “safe” countries that Israel had a hard time penetrating. These countries included Syria, Lebanon, (Soviet) Bulgaria, Iran, and Lybia. Jibril also constantly altered his actions ensuring that he did not follow a routine in his daily life. To expand his anti-targeting measures, Jibril maintained a large security detail and always stayed out of crowds. For his day-to-day living, Jibril occupied a fortified compound in Lebanon that was used as a garrison for his operatives and a training camp for terrorists.<sup>57</sup> This created tremendous difficulties for the Israeli’s, making accessibility a primary planning factor. Because of the difficulty of getting physical access to Jibril, Israel decided to conduct multiple bombing attacks on his known or suspected locations.

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<sup>54</sup> Katz, 112.

<sup>55</sup> Ibid., 115.

<sup>56</sup> Ibid., 139.

<sup>57</sup> Ibid., 158.

To alleviate any possible political backlash from these operations, Israel conducted the attacks under the cover of destroying gun emplacements, combat vehicles, and ammo supply dumps in Lebanon.

After multiple failed aerial attacks, Israel perceived that a ground attack was the only way to succeed in killing Jibril.<sup>58</sup> Israel conducted a military commando raid on Jibril's compound in Lebanon in an attempt to kill or capture him. This raid was repulsed when the ground force could not gain access to the main facility holding Jibril due to the amount of PFLP-GC forces securing his location.

Israel also applied other methods for attacking Jibril. After tracking Jibril as he traveled to Libya, Israel believed they had found a rare moment of accessibility to their target and was determined to act. Israel received intelligence about the private airplane Jibril was to be aboard on his return flight to Lebanon. They intercepted the plane on its passage home and forced it to land in Israel, but when they searched the plane they found it occupied by Syrian diplomats—with no sign of Jibril. He had slipped through their fingers once again.<sup>59</sup> Israeli intelligence had correctly identified Jibril as being scheduled to be on this plane, but had not verified he had actually boarding the aircraft. This created heightened tensions between Israel and Syria.

From all the failed attempts at killing Jibril, Israel learned that “accurate and timely intelligence [is] crucial in any plan...but intelligence work alone [will] never achieve the task.”<sup>60</sup> They recognized that, besides intelligence, they needed unfettered access to the target and the political will to employ the required amount of resources to achieve their objective.

## **B. PABLO ESCOBAR**

Throughout the 1980's and early 1990's, Pablo Escobar was the premiere drug kingpin operating out of Colombia. He was the first person to “create a unified and streamlined cocaine industry.”<sup>61</sup> Escobar's goal was to become a respectable member of

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<sup>58</sup> Katz, 159.

<sup>59</sup> Ibid., 121.

<sup>60</sup> Ibid., 158.

<sup>61</sup> Mark Bowden, *Killing Pablo*(New York: Penguin Group, 2001), 24.

Colombia's high society and government, while acting as the world's biggest drug lord. When high society refused him and the authorities began harassing his drug business Escobar developed the modus operandi "*plato o plomo*"<sup>62</sup> that he became famous for. This meant that you either took Escobar's *plato* (meaning silver or money) or you received his *plomo* (meaning lead or bullets). Under *plato o plomo* Escobar's organization became extremely effective and aggressive—to the point of nearly undermining the Colombian democracy.<sup>63</sup> Escobar ordered countless murders including those of rival drug dealers, judges, politicians and police that acted against him, innocent civilians, and even Presidential candidates and a Colombian Minister of Justice. Escobar wantonly murdered anyone who stood against him. The Colombian government could not control him, not even while he was incarcerated. Escobar was allowed to build his own jail and embarrassed the Colombian government when he escaped from his personal and lavish prison.

The United States, overcome with a drug epidemic in the 1980's, began a war on drugs declaring them a threat to national security. This war on drugs placed increasing pressure on the Colombian government to stop the flow of cocaine from its borders and squelch Pablo Escobar. In 1989, Escobar's men blew up an airplane over Colombia killing two U.S. nationals. This incident enraged the United States government which characterized Escobar as a direct threat to American citizens. Throughout this time period, the United States sent advisors down to Colombia to help the Colombian government deal with Pablo Escobar.

The Colombian Government, along with U.S. advisors, undertook a massive effort to neutralize Escobar and dismantle his organization. A task force was created, led by Colonel Hugo Martinez, and given implementation guidelines for hunting him down.<sup>64</sup> The task force was directed to only kill if it was incapable of arresting or detaining the target. Initially, the task force believed that it was "always better to capture the person alive, [because] you can then bring the person to justice and make an example

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<sup>62</sup> Bowden, 24.

<sup>63</sup> Ibid., 51.

<sup>64</sup> Joseph Contreras, "The Art of the Manhunt," *Newsweek*, September 8, 2003, 66.

of him.”<sup>65</sup> (However, as the mission of capturing and punishing Escobar became more and more difficult, killing became the standard practice because the task force determined that it was impossible to keep Escobar and his lieutenants detained.) It also implemented guidelines to visually identify the target and have methods to verify that the target had been killed. The task force was directed to maintain operational security throughout operations that prevented information leaks and ensured personal security. This was an obvious, but necessary, directive due the effectiveness of Escobar’s organization of gaining information on the government’s activities. They were also told that they were not operating under a time limit; but that the manhunt should be completed during a favorable time period—when support and awareness were garnered towards aggressive action. With these guidelines, the Colombian task force aligned against Escobar began implementing its targeted killing strategy.

This successful, yet drawn out (over a decade), targeted killing campaign uncovered many operational planning considerations. The first hurdle the Colombian task force had to surmount was obtaining specific intelligence on their target’s location. The Colombian forces employed eavesdropping equipment to listen in on their target and locate him to a specific building. But this eavesdropping equipment only worked if the target tried to put “himself in contact with others. If the [target] is not using communication equipment, then the technology will be of no use to you.”<sup>66</sup> To overcome this shortcoming, the task force also utilized paid informants that provided detailed information on targets. The Colombian forces also turned Escobar’s powerful lieutenants against him through coercion and bribes.<sup>67</sup> These lieutenants, along with rival drug and gang leaders, provided valuable information that aided in the manhunt. The task force also controlled the target’s family by restricting their movements and eavesdropping on their conversations. Ultimately, this is what brought about the end of Escobar. “As the manhunt continued, Escobar became more and more worried about his wife and children and took repeated risks by making more telephone calls [to them].”<sup>68</sup>

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<sup>65</sup> Joseph Contreras, “The Art of the Manhunt,” *Newsweek*, September 8, 2003, 66.

<sup>66</sup> Contreras.

<sup>67</sup> Bowden, 185.

<sup>68</sup> Paul Richter, “Response to Terror; The Investigation,” *Los Angeles Times*, September 28, 2001, A.1.



This limited the targets movements and constricted his support apparatus. They concluded their intelligence by developing cover stories for their operatives that allowed them to conduct surveillance on their intended targets and ensured their assets were protected.

The Colombian forces only used specially selected and trained operators to fill the task force responsible for dealing with Escobar. These operators were pulled from areas not under Escobar's control to aid in degrading corruption. These individuals had proven themselves to be men of action who could perform in combat situations. They also had experience in studying and analyzing the intelligence required to successfully conduct a manhunt.<sup>69</sup> The selected personnel were then organized into quick reaction forces that could execute missions on a very short timeline. The use of a task force comprised of specially selected personnel helped aid in another planning factor. It minimized participation in operations. Too much help and participation confused the situation and provided ample opportunity for compromise. Limiting participation to a few trusted operators negated this situation.

The United States advisors in-country aided the Colombian forces with intelligence gathering and operational planning. From the American point of view, the biggest planning consideration consisted of utilizing proxies (the Colombian forces) to conduct the unpleasant and politically volatile manhunt, thus ensuring deniability.

All of these planning considerations (both Colombian and American) built towards a very important planning factor. No matter what the task force accomplished, it would be negated if it did not ensure that the political and legal fallout of its actions did not eclipse the benefits of the mission. If the task force operated outside the law (and on many occasions it did), the ramifications could not be so great that the benefits of their actions were lost.

Both the Colombians and the United States learned from this targeted killing campaign. After multiple raids on Escobar's known location, the Colombians learned that if the target has been pinpointed and operations routinely net subordinates but not the primary target, there is likely a leak in the operational force. The Colombians also

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<sup>69</sup> Contreras.

realized that if you can not get to the target directly, the next best thing is to disassemble his support structure. This included attacking the financial, legal, and organizational elements of Escobar's cartel.<sup>70</sup> Ultimately the Colombians understood that to track down Escobar, they had to recognize his routines and use them as a vulnerability. To accomplish all this, flexibility was key. The task force had to be flexible to the changing circumstances and not let failures and setbacks alter their goal.

The United States learned that for their in-country operatives to have the ability to function, they needed the support of the local government, as well as the United States government, particularly the in-country embassy. This meant that the local country needed to approve U.S. actions being conducted within its borders. The U.S. also learned that for their operatives to be effective when using proxies, the U.S. advisors needed to play an active role in the "development of targets and subsequent operational planning."<sup>71</sup> This was necessary for the integration of the United States intelligence assets and the information gathered being conducive for ground operations.

Both countries discovered that a catalyst event makes targeted killing operations more feasible. The backlash from Escobar's escapades, like the murder of a Presidential candidate, inflamed the population who demanded revenge and justice.

The Colombians and the United States also realized that in dealing with an adversary, if diplomacy will not work, then war must be used. This meant that "diplomacy and war spring from different philosophical wells. The underlying premise of diplomacy is that people, no matter what their differences, are well intentioned and can work together...[but if] certain forces cannot be compromised with; they must simply be defeated."<sup>72</sup> After multiple attempts at compromise, diplomacy, and civilized judicial actions had been thwarted by Escobar, it was determined that direct conflict was the only way to deal with him. Lastly, both countries ascertained that the illicit relationships built to facilitate the execution of the mission carried over and had to be dealt with after the mission was completed. This included the exposure of the United States being involved in the operations and the revelation that the Colombian police had developed ties with

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<sup>70</sup> Bowden, 188.

<sup>71</sup> Ibid., 204.

<sup>72</sup> Ibid., 139.

other drug warlords to aid in dispatching Escobar. All these realizations, along with some of the unlawful means used throughout the operation, became politically sensitive issues for both Colombia and United States.

### C. ISRAEL'S WRATH OF GOD

During the 1972 Olympics in Munich, Germany, a group of Palestinian terrorists took eleven Israeli Olympic athletes hostage, killing two in the process. After a siege and failed rescue attempt, the rest of the hostages were killed. This event created a mood of national mourning within Israel attributable to the unprecedented grief and outrage felt by the population.<sup>73</sup> Israelis perceived this incident as an extraordinary attack on the state that became a “traumatic event, part of [their] collective memory” and developed into “feelings of anger and a deep need to punish the organization” responsible.<sup>74</sup> This “national feeling of fury”<sup>75</sup> led Israel to pursue a vengeance campaign of targeted killing. This came from the belief that if a general response to the wrong (like a bombing campaign) would not work (or was difficult to achieve, like the terrorist living in a highly populated Arab city) then a focused response was the best option (targeted killing).<sup>76</sup> In laying the groundwork for the targeted killing campaign, the Israeli government developed a list of terrorists connected to the terrorist attack who could be killed through targeted killing. Israel then conducted a character breakdown (impugning the targeted individual’s image to the Israeli population through media campaigns) of the targets which helped prepare the population for the inevitable killings.<sup>77</sup> This was done because some of the names on the targeted list had not been publicly confirmed as being involved in the terrorist act. To implement these targeted killings, Israel employed teams that operated clandestinely and teams that operated covertly and clandestinely. A covert operation required concealing the identity of or permitting plausible denial by the sponsor; clandestine required the concealment of the operation.<sup>78</sup>

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<sup>73</sup> George Jonas, *Vengeance* (New York: Simon and Schuster, Inc., 1984), 65.

<sup>74</sup> Simon Reeve, *One Day in September* (New York: Arcade Publishing, 2000), 183.

<sup>75</sup> *Ibid.*, 152.

<sup>76</sup> *Ibid.*, 153.

<sup>77</sup> *Ibid.*, 189.

<sup>78</sup> *Army Field Manual 101-5-1: Operational Terms and Graphics* (Washington, DC: Department of the Army, 1997).

The targeted killing teams were given the guideline that they couldn't operate in any confrontational states (meaning Soviet or Muslim countries).<sup>79</sup> The Israeli government also dictated that the teams could only kill the people on the list that had been sanctioned by the government. This ensured the killings received sufficiently high level approval and oversight. They also prescribed that there could not be any collateral damage or innocents killed unless the casualty was an instance of direct self defense. The teams were charged to use ingenuity when killing their targets (meaning not to just shoot them). This was intended to create fear and awe among other terrorists. The targeted killing teams were told they were not constrained by a timeline but the sooner the operation was completed the better. This was to ensure the local and international public could make the emotional connection between the terrorist attack and the targeted killing.<sup>80</sup> All the targeted killing teams were then given a prioritized list of individuals the Israeli government wanted killed.

The targeted killing teams that were operating both covertly and clandestinely received further guidelines. These teams operated in a manner that ensured their actions could be completely deniable by the Israeli government. These teams were ordered to develop their own intelligence and contacts and not use any assets currently being manipulated by the Israeli government. These teams also had to develop their own cover and logistics. The only thing that was given to these teams was an unlimited amount of money. Lastly, these covert and clandestine teams were told not to return to Israel until their mission was complete.

Two types of teams were used because the Israelis believed that organizational flexibility worked. Employing multiple teams operating across the spectrum of conflict (overt, covert, and clandestine) allowed for an advantageous mix of operational control, anonymity, and access to the targets. In employing this mix, they had to ensure enough men and resources were available to complete the mission and deal with any contingencies that arose. They also had to ensure a means of controlling these teams. The government controlled these teams by giving each one a specific target(s) they were

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<sup>79</sup> Jonas, 168.

<sup>80</sup> Ibid., 113.

to prosecute, providing guidelines they must operate under, and ensuring a means of communication between the government and each team.

The targeted killing teams began planning and conducting their missions. The first consideration was to employ only people that believed in the targeted killing mission. They wanted no doubt in their operators when they conducted their missions. Secondly, the teams had to develop, verify, and operationally prioritize their target lists. Just because the targeted killing teams were given a prioritized target list did not mean that it was operationally prudent to execute the list in that order. It is not known what determined the prioritization given to the target list by the Israeli government, but intelligence, availability, and access were key factors in the prioritization by the operational teams. To accomplish this, the teams first had to identify and collect intelligence about the targets, including conducting surveillance to establish routines, movements, patterns, and likely locations for a successful attack.<sup>81</sup> These actions would identify if the targets were hard or soft. Hard targets meant they maintained persistent security, altered their movements, and maintained a defensive posture. Soft targets used anonymity that allowed them hide in plain sight. Their security was blending into the population, revealing no aggressive attitude, and portraying a normal citizen. Operationally, soft targets are easier to gather intelligence on and can be targeted on a shorter timeline. Hard targets require more time and assets to prosecute and may be unreachable. Patience must be employed to wait for an easier opportunity to present itself.<sup>82</sup> This is particularly true if the target has just conducted a terrorist operation. This creates an extremely difficult atmosphere for gaining access to him.<sup>83</sup> Lastly, in observing the target, a location and plan of action must be developed that negates (or minimizes) collateral damage.

The targeted killing teams then decided not to create a preset notion on the method for conducting the targeted killings. They understood the method should fit the target's vulnerabilities, routines, and location. The targeted killing teams identified many factors that aided in determining what method should be used to execute the targeted

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<sup>81</sup> Reeve, 163.

<sup>82</sup> Ibid., 164.

<sup>83</sup> Jonas, 113.

killing. These factors were identified by answering the following questions: What is the goal of the targeted killing? The immediate goal of a targeted killing can differ with circumstances. These goals include stopping one person from conducting an action, sending a message to a group or entity, or ending a situation the target has influence over. What means are feasible and acceptable (both politically and tactically) for performing the targeted killing? What resources are physically available for the mission? All these factors drive what method should be used. Finally, the targeted killing teams identified a determination needed to be made on what international and regional repercussions (both politically and tactically) were acceptable in utilizing the method chosen.<sup>84</sup>

Once a method was chosen, it needed to be employed in a way that was integrated into the surrounding environment so the activities blend in. This was done by manipulating the target's internal communications with information that laid the groundwork for the targeted killing operation and provided for a successful escape.

In executing the targeted killing mission, the teams usually split into five elements: killer element, killer security element, logistics and cover element, surveillance and escape element, and communications element.<sup>85</sup> To complete the mission, the teams established safehouses and developed an ability to acquire support from the local Israeli embassy (clandestine teams only) or local underground (covert teams). Before executing the mission, the targeted killing teams established escape routes and resolved what to do with friendly casualties. Once all these planning factors were completed the targeted killing was conducted.

Israel accrued lessons learned through this audacious targeted killing campaign. They came to believe that tactically, targeted killing is not difficult to accomplish. The difficulties arise in establishing the logistics required for the operation and the escape after the kill. Basically, targeted killing boiled down to "two questions: how to locate the target, and how to get away after the hit. (The third question—how to do the hit—is generally determined by the answers to the first two.) The solution to the second

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<sup>84</sup> Reeve, 177.

<sup>85</sup> Ibid., 162.

question—getting away—represents 90 percent of the difficulty” in targeted killing.<sup>86</sup> The Israeli government realized that the main weapon for targeted killing was audacity, self-confidence, surprise, speed, the key minutes just before and after the killing, and creating distance from the targeted killing site.<sup>87</sup>

The operational teams learned that once the mission was completed they had to abandon all assets used in the killing and immediately depart the area. If they were successful in safely extricating from the area, their biggest vulnerability then became possible betrayal from someone within the team itself, or its support structure. They also concluded that the teams, as well as the government, should be prepared for retaliation including counterstrikes and counter-targeted killings. Once a member of a targeted killing team was killed (by counter-targeted killing) then a reassessment of the team’s procedures had to be conducted to identify any weaknesses and determine how the counter-targeting was accomplished.

Lastly, the Israeli government and the operational teams developed a better understanding of the political environment where targeted killing could be employed (overtly, covertly, and clandestinely) and when it should not be attempted. This led to the conscious understanding that there is a psycho-political factor to take into account if mistakes are made. One innocent bystander killed in a targeted killing operation can do more damage to a government’s image than missiles causing dozens of civilian casualties in a military skirmish.<sup>88</sup>

#### **D. OBERGRUPPENFÜHRER REINHARD HEYDRICH**

In the early 1940’s, during the Second World War, Obergruppenführer Reinhard Heydrich was a high level SS officer, head of the Nazi security police, and Governor of occupied Bohemia-Moravia (Czechoslovakia). As the Governor of Bohemia-Moravia, Heydrich was responsible for ensuring the subordination of the population and the continued flow of war supplies from the local factories. In this pursuit, the ruling class had been massacred and the remaining population was made to live under martial law

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<sup>86</sup> Jonas, 337.

<sup>87</sup> Ibid., 338.

<sup>88</sup> Ibid., 243.

with only one dictum—produce for the German war machine or be killed. Anyone that did not cooperate with the German Reich was expendable.<sup>89</sup> Heydrich also furthered his personal mission of coordinating the implementation of the “Final Solution to the Jewish Question.”<sup>90</sup> Heydrich ensured all of the Jews in his sphere of influence were killed or transported to concentration camps. He also occupied his time with crushing the underground that was operating throughout the country. Heydrich’s atrocities became renowned throughout the Nazi party.

During this time, the former Czechoslovakian President (President Eduard Benes) and his head of intelligence (Lt-Col. Frantisek Moravec), were exiled in England attempting to coordinate a campaign to end the occupation. This campaign included sending in military teams to assist the local Czechoslovakian underground. When these teams proved ineffective (usually because they were compromised and killed), President Benes determined drastic action had to be taken and initiated Operation Anthropoid. Operation Anthropoid was a targeted killing mission to kill Heydrich. President Benes saw killing Heydrich as an act of national desperation. He believed this act would solidify his exiled government’s political position and rally the local Czech people against the Nazis. This targeted killing would be seen as a symbol of Czechoslovakia’s desired freedom.<sup>91</sup> President Benes also believed that “if one of the leaders of the Nazi hierarchy could be killed, then the whole rotten edifice would shake and tremble.”<sup>92</sup>

The operational planners assigned to the mission were given few implementation guidelines. They were told to recruit a small team (two men) who were extremely trustworthy and nationalistic. The selected men participated in specialized training tailored for the upcoming mission. They were told that intelligence analysts had determined that Heydrich did not travel with any security and concluded the best way to kill him would be while he was traveling in his car.<sup>93</sup> The targeted killing team was ordered to operate totally autonomously. This meant they would work independently and

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<sup>89</sup> Alan Burgess, *Seven Men at Daybreak* (New York: E.P. Dutton, 1960), 35.

<sup>90</sup> Callum MacDonald, *The Killing of Reinhard Heydrich: The SS “Butcher of Prague”* (New York: Da Cap Press, 1989), 41.

<sup>91</sup> Ibid., 120.

<sup>92</sup> Burgess, 36.

<sup>93</sup> MacDonald, 124.



without local underground knowledge or assistance. This was to ensure that the mission was not compromised by leaks within the underground. The team was instructed that the killing could not look like an accident. "It had to be shown to all Czechoslovakia, to the entire German empire and to the world that Heydrich had been killed by representatives of the Czech people."<sup>94</sup> As a final directive, the Anthropoid team was told to conduct the targeted killing on Czech national day, October 28, 1941.<sup>95</sup> This was a mere eighteen days after the team was scheduled to infiltrate the country. With these guidelines, the targeted killing team began the operation.

The Anthropoid team understood that infiltration into the area of operation was paramount and took this as their first planning consideration. They developed detailed infiltration plans and contingencies. With this, they infiltrated into the country determined to complete the targeted killing plan once they were positioned in the area. When established, the team began the next planning consideration: developing detailed and reliable intelligence on the target. They soon realized they could not acquire the information needed without assistance from the local underground. Even though it was against their initial guidance, they tapped into the underground and asked them to provide reports on Heydrich's routines and travel schedules. When information was given to the team, they only deemed it credible if the same information came from two different informants. Finally, when the appropriate intelligence had been gathered (months after the dictated target date to complete the mission) they began finalizing the plan.

The targeted killing team identified a location that required Heydrich's vehicle to slow down affording the team an opportunity to conduct the killing and minimize civilian deaths.<sup>96</sup> With the location identified the team gathered their weapons (without first test firing them) and emplaced the ambush. When Heydrich entered the kill zone, the team initiated the ambush. The gun of the person assigned to kill Heydrich jammed and a firefight ensued. The team haphazardly exfiltrated themselves from the area because the escape plan they developed was not sufficient. In the ensuing chaos, they succeeded in wounding Heydrich, who later died in the hospital.

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<sup>94</sup> Burgess, 85.

<sup>95</sup> MacDonald, 121.

<sup>96</sup> Burgess, 86.

This successful, although sloppy operation provided the Czechs with necessary lessons learned. They learned that timelines should not be placed on targeted killings due to the significant number of external influences that impact these types of operations. They also learned that there is no substitute for complete and thorough detailed planning. Because the team did not have a developed comprehensive escape plan they were gradually tracked down and killed (along with all the other infiltration teams operating in the area). This operation also showed that a team assigned with a targeted killing mission can not operate totally autonomously. They require a mechanism that provides up-to-date and reliable intelligence. The Anthropoid team's actions also reiterated that pre-combat inspections must be conducted to ensure all mission essential equipment is in working order.

This operation also revealed that when conducting a targeted killing operation, planners must consider the physical and political climate that will occur after the killing. The targeted killing should not create a climate that is worse than the one present before the killing occurred. After Heydrich was killed, conditions imposed on the Czech population worsened and thousands of retaliatory deaths ensued. The entire Czech underground was extinguished. However, the mission was a political win for President Benes who strengthened his stature with the Allies. It also made the Nazi hierarchy feel as if they were being hunted for the first time.

## **E. HAMAS TERRORISTS**

Israel is in a continued and constant conflict with the Palestinian Authority and conducts open warfare with terrorist organizations, one of which is Hamas. Israel has used varied techniques to combat these terrorists. Initially, the Israeli government had gone to the Palestinian Authority and other Arab leaders that harbor these terrorists and asked them to apprehend terror suspects. This has resulted in no action being taken by the requested authorities. Israeli forces have tried to capture terrorist suspects, but the terrorists make this difficult by living in congested areas where arrest attempts spark large skirmishes with mounting civilian and military casualties. These characteristics, combined with a demand by the Israeli public for a forceful response to terrorism, have led the Israeli government to employ targeted killings with increasing frequency.

Israel has had to develop guidelines and rules for carrying out these targeted killing operations. First, Israel recognizes it is involved in armed conflict with the terrorist groups. In such, candidates for targeted killing must be combatants in this conflict. Second, Israel has developed a list of people approved for targeted killing. The development of this list involves a four step process. 1) Intelligence agencies identify individuals who pose a terrorist threat and prepare a report detailing the individuals past activities along with an assessment of potential future attacks and activities.<sup>97</sup> 2) The Regional Military Commander and military lawyers then evaluate this report and either reject the name or recommend it for inclusion.<sup>98</sup> 3) If recommended for inclusion, it is given to the Military Chief of Staff.<sup>99</sup> 4) The Military Chief of Staff, Minister of Defense, and the Prime Minister then approve or disapprove inclusion of the name on the list.<sup>100</sup> If the target is politically sensitive or important the Israeli cabinet is briefed.<sup>101</sup>

Targeted killing operations are then conducted under a Joint Command Post of Shin Bet (Israeli intelligence) and the military.<sup>102</sup> Targeted killing missions can only be carried out by Special Operation forces and not by the regular military.<sup>103</sup> Another list of requirements must be met before a targeted killing operation can be conducted against an individual that has been sanctioned for killing: 1) Arrest of suspect is impossible.<sup>104</sup> 2) Civilian casualties are minimized.<sup>105</sup> (If loss of innocent life is suspected the targeted killing is postponed.) 3) The targeted killing operation is limited to areas not under Israeli control.<sup>106</sup> The rationale behind this is that if Israel controls the area then there is a reasonable belief that they can arrest the suspect. 4) The operation's benefits must outweigh its costs.<sup>107</sup> These requirements compel the operational units conducting the

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<sup>97</sup> David, 117.

<sup>98</sup> Ibid., 117.

<sup>99</sup> Ibid., 117.

<sup>100</sup> Byman.

<sup>101</sup> Ibid.

<sup>102</sup> Blumenfeld.

<sup>103</sup> David, 117.

<sup>104</sup> Blumenfeld.

<sup>105</sup> Ibid.

<sup>106</sup> Ibid.

targeted killing to pay a heavy investment in intelligence and possess rapid response capabilities. They have to verify all intelligence reports to ensure an accurate understanding of who is in the kill zone. They have to conduct thorough damage assessment simulations and understand the likelihood of collateral damage.

By utilizing these guidelines and requirements, Israel continues to employ a targeted killing campaign that it considers a key element in its fight against terrorism. These procedures have also aided in reducing the political fallout, both internally and internationally, of their targeted killing campaigns. However, the debate about targeted killing effectiveness still persists as evidenced by the numerous articles published on the subject.

#### **F. ADMIRAL ISOROKU YAMAMOTO**

The United States was embroiled in World War II and had been devastated by a surprise attack on Pearl Harbor. The United States' main nemesis in the Pacific was Admiral Isoroku Yamamoto, the Commander-in-Chief of the Japanese Combined Fleet. Admiral Yamamoto had been the mastermind behind the attack on Pearl Harbor and was valiantly directing the war in the Pacific. To America, Yamamoto was the "beating heart of the Japanese Navy" and the "hated face of the Japanese war machine."<sup>108</sup>

During the conduct of the war in the Pacific, the United States military had been able to break the codes used by the Japanese to cipher their message traffic. In early April 1943, U.S. military intelligence intercepted and deciphered a message that laid out a detailed itinerary of Admiral Yamamoto's visit to his front line troops around the Bougainville-Shortland Island area.<sup>109</sup> This information was relayed to Admiral Nimitz, the United States Commander-in-Chief of the Pacific Ocean Area. He then determined the detriments and benefits of killing Yamamoto. "On the negative side, a raid to kill him might reveal to the Japanese that the Americans had broken their code. It would also remove a leader whose behavior patterns had become familiar to intelligence analysts. On the other hand, here was a golden opportunity to deprive the Japanese of their leading

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<sup>107</sup> Byman.

<sup>108</sup> Donald Davis, *Lightning Strike* (New York: St. Martin's Press, 2005), 228.

<sup>109</sup> R. Cargill Hall, *Lightning Over Bougainville* (Washington: Smithsonian Institution Press, 1991), 19.

admiral and demoralize them.”<sup>110</sup> Ultimately, Admiral Nimitz determined that Admiral Yamamoto’s death would “be a horrific setback for Japan” and that it was doubtful that any replacement could be as formidable.<sup>111</sup> With the understanding that, “by the rules of war, a military commander in uniform in the field was fair game,”<sup>112</sup> a targeted killing mission was ordered against Admiral Yamamoto. The guidance given to the operational unit planning the targeted killing was concerned only with ensuring the security of U.S. intelligence. In conducting such a high profile targeted killing operation, the U.S. military had to consider which intelligence gathering mechanisms could be jeopardized. Since the U.S. had not been operating in the area of the proposed attack prior to the targeted killing operation, the Japanese would surmise their communications had been compromised and change their ciphers. The operation had to be conducted to make Yamamoto’s killing seem coincidental. So the operational unit was told that they had to continue conducting random patrols around the area after the targeted killing mission was completed.<sup>113</sup>

The operational unit also had planning considerations to overcome in order to ensure a successful targeted killing. The mission had been developed by the U.S. Navy but they didn’t have any assets that could accomplish the mission. So the Navy put aside its inherent rivalry with the U.S. Army and assigned the mission to the Army Air Corps who had the best tool for the job—the P-38 Lightning airplane. The Navy tried to dictate tactically how the operation should be conducted by the Army pilots but the pilots successfully argued that the mission operators should plan the operation.<sup>114</sup> Since this was a strategically significant operation, the planners “decided the flight would have to avoid Japanese detection at all costs by flying around the islands between Guadalcanal and Bougainville, by keeping radio silence, and by flying low.”<sup>115</sup> The planners believed this would ensure total surprise. The actual targeted killing team members were not informed about their mission until the last possible moment. These team members were

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<sup>110</sup> Daniel Haulman, “The Yamamoto Mission,” *Air Power History* (Summer 2003), 32.

<sup>111</sup> Davis, 229.

<sup>112</sup> Haulman, 32.

<sup>113</sup> Hall, 26.

<sup>114</sup> Davis, 237.

<sup>115</sup> Haulman, 33.

specially selected, tried-and-true pilots who had previously flown missions comparable to this one. Lastly, the targeted killing forces were resourced to ensure they had a large enough security force, depth in killer teams (meaning identified replacements), and the flexibility to meet any contingency.

The operational planners “meticulous planning paid off.”<sup>116</sup> A huge victory for the United States occurred on April 18, 1943 when Admiral Yamamoto’s airplane was shot out of the sky killing the Admiral and a portion of his staff.

The ultimate results of the targeted killing are inconclusive. Yamamoto’s death dealt a great blow to the Japanese and greatly raised American spirits. Yamamoto’s replacements did turn out not to be as formidable as he was. However, Yamamoto’s death “did not change the outcome [of the War in the Pacific]. If Yamamoto had lived, Japan might have won a few more battles, but it still would have lost the war...[Yamamoto’s death just] hastened the inevitable.”<sup>117</sup>

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<sup>116</sup> Haulman, 34.

<sup>117</sup> Ibid., 36-37.

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## **V. TARGETED KILLING IMPLEMENTATION GUIDELINES**

When an operational unit is directly tasked by higher headquarters to conduct a specific targeted killing mission, operational planners should take into consideration the guidelines provided in the case studies analyzed in this thesis. This operational guidance will help planners develop a framework for a successful targeted killing mission and address the political, strategic, and operational issues that develop. This chapter will outline the implementation guidelines, derived from the case study analysis, that operational planners should receive when directly tasked with a targeted killing mission. If these guidelines are not provided, operational planners should request them from their higher headquarters. All targeted killing guidelines should include directives on capture, collateral damage, mission approval, timing, and areas of operation.

### **A. CAPTURE VERSUS KILL**

The initial guideline should deal with capturing versus killing. The operational unit should clearly understand the priority given to both. The guidance should explain whether the target should be killed outright or if the first priority should be capture. As a general rule, all attempts should be made to capture a target before a targeted killing mission is implemented. Targeted killing should be a last resort because no other feasible method exists to stop the targeted individual's actions. A government cannot lose any legitimacy if it only captures its targets.<sup>118</sup> "When it comes to killing versus capturing, killing is better than [the target] getting away, but capturing is better than killing."<sup>119</sup> Capture will allow further intelligence exploitation of the target and bypass any possible detriments involved with targeted killing. The exception to this rule is if the targets capture will cause more political damage than his death. An example of this is the capture of Saddam Hussein in Iraq, in 2003. After Hussein was captured his trial became an uncontrolled fiasco with judges and lawyers being murdered and public doubt being raised on the former dictator's actions. This ignominy was made even worse when Hussein's execution was conducted in an amateurish manner and broadcast to the world.

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<sup>118</sup> Anonymous.

<sup>119</sup> Ibid.



The entire post capture event became a political embarrassment for the United States and the fledgling Iraqi government the United States was supporting. In extreme cases like this, killing is preferred over capture. Finally, the consequences of the targeted killing should be less destructive to noncombatants than the use of any other means available.

## **B. COLLATERAL DAMAGE**

The second guideline should outline what the operational units action should be if collateral damage (death of innocent civilians) is likely to occur. As exemplified in the majority of the case studies, collateral damage should be minimized in the execution of all targeted killing operations. If collateral damage is likely to occur in the mission, targeted killing should be chosen because it is the most discriminating way to accomplish the objective when compared to other operational choices.

## **C. MISSION APPROVAL**

The third guideline should explain the approval process for conducting the targeted killing mission. Once assigned a targeted killing mission, the operational unit must understand whether it may execute the kill without further approval or if it must receive final authorization before the trigger is pulled. By current law, targeted killing operations can only be conducted against combatants participating in an armed conflict with the United States. Operational units should be given as much leeway as possible to conduct the mission without bureaucratic delay and with minimal approval levels.

## **D. MISSION TIMING**

The fourth guideline should give the executing unit a framework of the timing for the mission. An exact timeline should not be dictated to the operational unit; however, an understanding of the political and operational timeliness should be conveyed. This means the operational unit should understand that the targeted killing operation must be conducted when it is both politically and operationally feasible so that the American population and its allies can connect it with the catalyst event that initiated the killing.

## **E. AREA OF OPERATION**

The final guideline the operational unit should receive is the approved area for conducting the operation. Boundaries should be determined that identify areas where the targeted killing can be conducted, as well as areas that are off limits to the targeted killing team. Targeted killing operations should only be conducted outside of the United States. This is due to the legal issues involved with conducting military operations within United States borders, and also because the United States maintains control of this area so other means exist for dealing with the target, i.e., arrest. As a general rule, targeted killing implemented by the United States should be avoided in friendly or allied territories unless the region in question is not (or can not) be controlled by the local authorities; the local authorities have disregarded requests for the targets apprehension; or the local authorities approve the operation. This will aid in avoiding territorial infringement disputes, political embarrassment, and the disenfranchisement of a friendly nation.

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## **VI. OPERATIONAL PLANNING CONSIDERATIONS**

When operational units find themselves operating with a pre-approved list of individuals that can be killed without further authorization from higher headquarters, or the operational unit identifies an individual enemy combatant whose death would aid in the successful outcome of their operational strategy, the operational unit may take it upon themselves to conduct a targeted killing. Before committing to a targeted killing mission at the operational level, planners should understand that certain planning considerations must be undertaken to mitigate the potential political sensitivity, strategic fallout, and unintended consequences that are inherent with targeted killing operations. These planning considerations are also important when a unit is tasked with a kill or capture mission and the planners have to determine which mission should take priority.

This chapter will outline the planning considerations that should be put into practice when conducting a targeted killing/capture operation. These considerations will aid in determining which option to enact to ensure a successful outcome. These planning insights will provide a “systemic approach to developing the best course of action in a given situation.”<sup>120</sup> These considerations are based on lessons learned from the case study analysis, the author’s personal military experience, and interviews of soldiers who were members of units that conducted targeted killing missions.

Planning considerations should include intelligence, target availability, target accessibility, cover for actions, target importance, collateral damage, resources needed, and operational security. If a question arises, ambiguity exists, or an answer can not be determined, then higher headquarters should be consulted.

### **A. INTELLIGENCE**

The first priority for conducting a targeted killing mission is intelligence. Target intelligence must be timely, accurate, and verifiable. It should include target location, routines, movements, and patterns. It should also identify individuals accompanying and

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<sup>120</sup> Hernandez.

surrounding the target and their status (combatant or noncombatant). An understanding of the target's intelligence value should be grasped (as explained below under Importance).

## **B. IMPORTANCE**

Importance of the targeted killing subject can manifest itself in three ways: centrality, criticality, and representation. Centrality pertains to the position that the target holds in the organization. The more central an individual is in the organization the more effect his removal will have. Criticality refers to how integral the individual is to the organization. The target may not be a leader but might possess specific knowledge that if killed will make impotent, or seriously degrade, the organization.<sup>121</sup> Representation indicates what that individual represents or how he is personified. This individual may not be a leader but might be the source of the organization's ideology, provide the synergy behind the movement, or be a figurehead. This individual's removal might dampen or diffuse the organization's devotion or fanaticism.

Importance of the target is significant in two respects: actions taken against the appointed target and potential mission casualties. The first area, actions taken against the appointed target, pertains to the option of whether to kill or capture. This is only pertinent if there is an opportunity to capture the target. If the target is someone that can provide an abundance of intelligence that will aid in succeeding missions, then capture should be considered the number one priority. However, as discussed in chapter 5, if the target is such a figure that his capture will become a detriment in the conduct of the conflict or a political embarrassment for the United States (i.e. become an enemy rallying point or a media circus), then the target should be killed. The operational unit should ask higher headquarters what to do if an opportunity of capture arises, if not already dictated.

The second area takes casualties into account. A determination as to the acceptable level of collateral damage and number of friendly casualties tolerable when conducting the operation will coincide with the level of importance of the target. Both

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<sup>121</sup> Anonymous.

have to be outweighed by the benefits of killing the target. “The first question that should be asked is how can [this mission] be accomplished without exposing anyone to any risk.”<sup>122</sup>

### **C. AVAILABILITY**

Availability of the target should also play a role when planning a targeted killing mission. If the target is difficult to locate, presents a one time opportunity, or only appears periodically, then when given the opportunity, the target should be killed. However, if the target can be easily tracked, it might be prudent to surveil the target and gain as much intelligence as possible before conducting the targeted killing or capture mission.

### **D. ACCESSIBILITY**

Target accessibility is another key planning consideration. As explained in the *Israel's Wrath of God* section of this thesis, planners should determine if the individual presents a hard or soft target. This will aid in determining if the target is accessible to capture. If the target is so secure that any attempt to capture will likely result in multiple friendly casualties, the risk may be too high. If the number of possible casualties outweighs the significance of the person captured, then the mission should be one of targeted killing.

In conducting a targeted killing mission the accessibility factor is also determined by collateral damage, as well as, casualties. These characteristics will determine if the target is accessible to direct action (operators on the ground), standoff weapons (hellfire or Tomahawk missiles), or covert means (surreptitious methods of killing). If the target is not accessible, the mission should be postponed until the target shows aspects of vulnerability.

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<sup>122</sup> Anonymous.

## **E. COVER FOR ACTION**

Operational units need cover for action when conducting targeted killing missions. This cover for action should come in three forms: targeted killing approval, political environment, and operational cover.

In order for a targeted killing operation to be initiated, the operation must be conducted with a strategic understanding. The importance or political sensitivity of the individual targeted should drive who will authorize the operation. If the target is politically sensitive, the operational planner should have a higher level authority approve the operation. If the target does not present a political concern, the operational planner can unilaterally conduct the operation. However, the approval authority must be in a position to weigh all of the issues involved with a targeted killing operation and have the authority to accept the political and operational consequences that result from the operation.

An understanding of the political significance and political cover must be provided to the operational unit. This includes ensuring that the fallout from the targeted killing operation does not eclipse the benefits gained. A successful targeted killing means the target is killed with little or no damage to one's own cause. Political cover ensures the operation can be tied back to a catalyst event in the minds of the public and aids in negating potential political fallout that might occur. Political cover defines the areas in which the targeted killing can be conducted. It also ensures none of the repercussions and backlash from the event will be placed on the individuals conducting the operation.

Operational cover ensures the unit conducting the mission has tactical cover for its actions. This means that in the conduct of the mission, the unit has developed a reason for operating in the area and can blend into the environment, ensuring operational security.

## **F. COLLATERAL DAMAGE**

Collateral damage is a key constraint in planning targeted killing operations. When at all possible, collateral damage should be avoided and if collateral damage is

suspected, then the operation should be postponed. When planning a targeted killing mission, a damage assessment should be conducted to determine the probability of success and the likelihood of civilian casualties occurring. This understanding, combined with all the other planning factors outlined in this paper, should determine if the targeted killing should be carried out.

## **G. SECURITY**

Security of the operation and security of intelligence gathering methods are paramount. The conduct of a targeted killing should not compromise the intelligence gathering techniques used in the performance of the operation. If the operation fails, the intelligence method will become ineffectual and obsolete and the target might become inaccessible. Ensuring the security of the methods used to acquire intelligence is more important than the killing of one individual.

Operational security must be enforced to be sure leaks do not occur that could compromise the mission. Operational knowledge should be limited to a need-to-know basis and no external involvement should be allowed.

## **H. RESOURCES**

Targeted killing missions should only be carried out by specially selected and trained forces. This will aid in ensuring that a strategic understanding exists when conducting the targeted killing. This will also provide a greater ability to maintain operational security, as well as, cover for the operation. Specialty forces are accustomed to conducting politically sensitive operations, maintain access to more tools that can provide access to a target, and sustain a higher ability to target discriminate thus lowering the possibility of collateral damage.

Limited participation by external forces and headquarters not directly involved in the operation should be ensured; however, the mission should be fully resourced to facilitate a successful completion. The personnel and logistics involved in the operations should be flexible to changing demands and be able to operate in a fluid environment. They also must have quick reaction capabilities in order to adjust to the target's actions. The forces enlisted for targeted killing must be able to implement all the planning



considerations involved in targeted killing operations while balancing the political environment that these operations typically are conducted in.

## **VII. SUMMARY**

Targeted killings are complex operations that tend to result in numerous unintended consequences. These unintended consequences can, and often do, have far reaching effects that impact the entire spectrum of warfare, from strategic to tactical, as well as, diplomatic and domestic concerns. Because of this, operational planners and operators should take the experiences presented in this thesis and integrate them into the targeted killing operations being conducted today. This begins with the guidance the operational team should receive when tasked with a targeted killing mission and progresses through the operational planning considerations needed to successfully complete the operation. By implementing these considerations, operational units will have a greater understanding of what is involved in conducting targeted killing. This will lay the groundwork to ensure a successful outcome by providing a framework in which operators can successfully function.

This thesis was directed at the military and providing the operator with a framework to conduct targeted killing. Due to this narrow scope, not all issues and topics were addressed. Areas of further research include: What effects can targeted killing have on the operational and tactical environment? Should targeted killing be conducted differently inside war zones vice outside war zones? Does targeted killing fit in with military tradition and standards? In conducting targeted killing, should there be different rules and procedures for military and other governmental organizations?

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